

## Claudia Wilner

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**From:** Quinn,Robert E <rquinn@ch.ci.buffalo.ny.us>  
**Sent:** Tuesday, July 09, 2019 8:50 PM  
**To:** Darius Charney  
**Cc:** Claudia Wilner; Travis England  
**Subject:** RE: BLRR v City of Buffalo

Sorry for the delayed response, I was out of the office and didn't see the "close of business" language in your email till just now. Think we've previously stated our position and I'm not sure if this email is something new, or just a reiteration of what you previously stated, but I'll go through it and try to have a reiteration or new response first thing tomorrow morning. Don't think a motion is warranted and, as we've previously done with much success, if we are unable to agree I think it makes the most sense just to discuss with the Court.

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**From:** Darius Charney [mailto:dcharney@ccrjustice.org]  
**Sent:** Tuesday, July 09, 2019 1:57 PM  
**To:** Quinn,Robert E <rquinn@ch.ci.buffalo.ny.us>  
**Cc:** Claudia Wilner <wilner@nclej.org>; Travis England <england@nclej.org>  
**Subject:** Re: BLRR v City of Buffalo

Rob-

It is Plaintiffs' view that every one of the Housing and Strike Force Monthly and Daily Reports from 2013 to the present contains relevant/discoverable information, namely (1) the charts on the first page of the reports that tabulate the quantity of traffic tickets issued and traffic arrests made by Housing and Strike Force officers on a daily and monthly basis, and (2) the narratives on the subsequent pages of the reports that discuss particular locations where checkpoints and other traffic enforcement activities (e.g. vehicle stops, vehicle searches, traffic tickets, traffic misdemeanor arrests) were conducted and why those activities were conducted at those locations. Thus, it is Plaintiffs' position that all of the charts and all of the checkpoint and other traffic enforcement-related narratives contained in each and every Monthly and Daily Housing and Strike Force report from 2013 to the present must be produced to us. We would accept redactions of all non-traffic and non-checkpoint-related narratives- in addition to the redactions of personal identifying information of witnesses, victims, informants and suspects and information concerning ongoing BPD investigations that we previously proposed. We also want to note that, in our view, redactions of personal identifying information does NOT include redactions of demographic information such as a person's race, age, or gender.

Please let us know by close of business today if this proposal is acceptable to you. If we do not get confirmation from you that our proposal is acceptable to Defendants, we intend to move the Court to compel production of the Housing and Strike Force Monthly and Daily Reports

Darius

On Jul 3, 2019, at 1:46 PM, Quinn,Robert E <[rquinn@ch.ci.buffalo.ny.us](mailto:rquinn@ch.ci.buffalo.ny.us)> wrote:

I'll reiterate our objections to your demands and again clarify that these discussions have been an attempt to work together in good faith to move the case forward.

With that said, our proposed redactions/production would essentially be based on relevancy/discoverability. If there are categories of information you believe is relevant to your claims (e.g., information about a specific checkpoint, date, location, etc.), we would be willing to attempt to go through records for that information subject to redaction of other information (and assuming categories not still overly broad, burdensome, etc.).

Additionally, within the categories of information we agree would be responsive/relevant, we would redact the information you identify below and anything subject to privileges such as law enforcement, attorney client, etc..

I have to leave the office for a settlement conference at 2, but will try to respond by phone if you have a clarifying questions. I'm also in tomorrow morning and Friday. Thanks and have a good 4<sup>th</sup> if I don't here back.

**From:** Darius Charney [<mailto:dcharney@ccrjustice.org>]

**Sent:** Friday, June 28, 2019 4:31 PM

**To:** Quinn,Robert E <[rquinn@ch.ci.buffalo.ny.us](mailto:rquinn@ch.ci.buffalo.ny.us)>

**Cc:** Claudia Wilner <[wilner@nclej.org](mailto:wilner@nclej.org)>; Travis England <[england@nclej.org](mailto:england@nclej.org)>

**Subject:** Re: BLRR v City of Buffalo

Rob-

Thanks for the response. On the Housing and Strike Force reports, Plaintiffs have already provided you with our proposal re the redactions both in prior telephonic meet-and-confers and in our June 20 letter to you. To repeat, we would accept redactions of only (1) names and other personal identifying information of witnesses, crime victims, crime suspects, arrestees, and informants , and (2) information related to currently ongoing BPD investigations. We ask that you provide Defendants' position on this proposal in writing by Wednesday, July 3. If we do not hear from you by then, we intend to raise the Housing and Strike Force reports issue with the Court, as we have been discussing our redaction proposal with you for more than a month now and our request for production of these reports has been pending since November.

Darius

On Fri, Jun 28, 2019 at 2:50 PM Quinn,Robert E <[rquinn@ch.ci.buffalo.ny.us](mailto:rquinn@ch.ci.buffalo.ny.us)> wrote:

We started the search for these terms and, so far, no issues. I will follow up again next week to advise of the status.

As to the Housing Unit and Strike Force Reports, as discussed, we have raised objections to your requests and those are specifically preserved. Without waiving those objections, in an effort to move discovery forward we have discussed producing with redactions. In this proposal, if we reach an agreement on redaction we would also be agreeing to produce records, without waiving our objections and preserving them as also set forth in our responses. So basically and shorter version, yes, I think we're on the same page on this proposal but it depends on agreement. Let me know if you have any questions or want to discuss further. Thanks.

I expect to have further responses regarding the AG completed this weekend and will try to hand deliver on Monday.

-Rob Quinn.

**From:** Darius Charney [mailto:[dcharney@ccrjustice.org](mailto:dcharney@ccrjustice.org)]  
**Sent:** Thursday, June 27, 2019 2:50 PM  
**To:** Quinn,Robert E <[rquinn@ch.ci.buffalo.ny.us](mailto:rquinn@ch.ci.buffalo.ny.us)>  
**Cc:** Claudia Wilner <[wilner@nclej.org](mailto:wilner@nclej.org)>; Travis England <[england@nclej.org](mailto:england@nclej.org)>  
**Subject:** Re: BLRR v City of Buffalo

Rob-

Attached please find Plaintiffs lists of (1) 20 initial search terms for the 311 database, and (2) 10 initial search terms for IA Pro.

In addition, please provide by tomorrow an email confirming that Defendants will produce the requested Housing Unit and Strike Force Daily and Monthly Reports if and when the parties reach an agreement on the redactions of those reports. If we do not receive that email from you by tomorrow, we will assume that you are maintaining the objections to producing those reports which are set forth in your responses to our Requests for Production, and we will proceed with moving the court to compel production of those reports.

Darius